

BEST AVAILABLE COPY**RECEIVED
CENTRAL FAX CENTER****NY-DNAG-310-US****NOV 21 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Leyen, et al.

Serial Number : 10/549,731

Filing Date : October 25, 2006

Title: POLYLOCK INSERT FOR AN ARTIFICIAL HIP JOINT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
MS: PCT

November 21, 2006

REQUEST FOR CORRECTED FILING RECEIPT

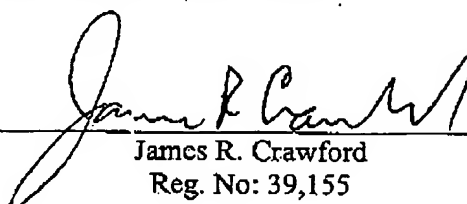
Sir:

Applicants request a corrected filing receipt.

Under Foreign Applications:

"European Patent Office (EPO)" should be -- German -- . Enclosed is a copy of the filing receipt and the executed declaration.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.By 
James R. Crawford
Reg. No: 39,155666 Fifth Avenue
New York, New York 10103
(212) 318-3148
Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FLING OR 371 (c) DATE	ART UNIT	FL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/549.731	10/25/2006	3731	1030	NY-DNAG-310-US	2	12	1

CONFIRMATION NO. 1384

24972
FULBRIGHT & JAWORSKI, LLP
666 FIFTH AVE
NEW YORK, NY 10103-3198

FILING RECEIPT



QC000000021122913

Date Mailed: 11/09/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

**Stefan Leyen, Altbach, GERMANY;
Uwe Bunz, Wolfslugen, GERMANY;**

Power of Attorney: The patent practitioners associated with Customer Number 24972.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/03093 03/24/2004

Foreign Applications

GERMAN
EUROPEAN PATENT OFFICE (EPO) 103 13 413.1 03/25/2003
GERMANY 10 2004 011046.8 03/06/2004

If Required, Foreign Filing License Granted: 11/04/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/549,731**

Projected Publication Date: 02/15/2007

Non-Publication Request: No

Early Publication Request: No

FULBRIGHT & JAWORSKI, LLP
IPT DOCKETING

Docketed ☒ Not Req'd ☐ Confirmation ☐

Initials 1st _____ Initials 2nd _____

NOV 13 2006

Attorney _____

Docket No. _____
Action Req'd _____ Date Due _____

Title

Polylock insert for an artificial hip joint

BEST AVAILABLE COPY

Preliminary Class

623

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

NOV 21 2006

PATENT Docket No.
Serial No.

Page 1 of 3

Docket No.

DNAG-310-US

**Declaration and Power of Attorney for Patent Application
English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

POLYLOCK INSERT FOR AN ARTIFICIAL HIP JOINT

the specification of which (check one)

☐

Is attached hereto.

☒

was filed on _____

U. S. Serial No: 10/549,731

And was amended on _____

(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign applications(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)Priority Not
Claimed

103 13 413.1	Germany	March 25, 2003	<input type="checkbox"/>
(Number)	(Country)	(Filing Date)	
10 2004 011 046.8	Germany	March 6, 2004	<input type="checkbox"/>
(Number)	(Country)	(Filing Date)	<input type="checkbox"/>

BEST AVAILABLE COPYPATENT Docket No.
Serial No.

Page 2 of 3

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/EP2004/003093

March 24, 2004

Pending

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO SB-025576009.1

1 (8-96) Patent and Trademark Office-U.S. DEPARTMENT OF COMMERCE

BEST AVAILABLE COPYPATENT Docket No.
Serial No.

Page 3 of 3

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter F. Felfe, Reg. No. 20,297, Norman D. Hanson, Reg. No. 30,945, John A. Bauer, Reg. No. 32,554, James R. Crawford, Reg. No. 39,155, Andrew Im, Reg. No. 40,657 and Bruce K. Koch, Reg. No. 41,905 my attorneys with full power of substitution and revocation.

Send Correspondence to: James R. Crawford
CUSTOMER NO. 24972
Fulbright & Jaworski L.L.P.
686 Fifth Avenue
New York, New York 10103

Customer No: 24972

Direct Telephone Calls James R. Crawford, 212-318-3148
associated with customer
No: 24972 to

Full name of first inventor, if any	
Stefan LEYEN	
First inventor's signature	Date
Resident	
Stauterstr. 49, 73776 Altbach, Germany	
Citizenship German	
Post Office Address	
SAME AS ABOVE	
Full name of second inventor, if any	
Uwe BUNZ	
Second inventor's signature	Date
Uwe Bunz	10 February 2006
Resident	
Wielandstr. 19, 72649 Wolfschlugen, Germany	
Citizenship German	
Post Office Address	
SAME AS ABOVE	

23/10 2008 MON 18:04 FAX +41 52 8450100 METOXIT AG

002

BEST AVAILABLE COPY

Approved for use through 10/01/08. OWS 0331-0272
 Patent and Trademark Office, U.S. Department of Commerce

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Declaration and Power of Attorney for Patent Application

Erklärung für Patentanmeldungen mit Vollmacht

German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an Eides Statt:

daß mein Wohnort, meine Postanschrift und meine Staatsangehörigkeit den im nachstehenden nach meinem Namen aufgeführten Angaben entsprechen, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (bzw. nachstehend nur ein Mit- oder Mitbegründer (falls nachstehend mehrere Namen aufgeführt sind)) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent für die Erfindung mit folgendem Titel beantragt wird:

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated above by my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

POLYLOCK INSERT FOR AN ARTIFICIAL JOINT
 KÖPFGLEND

POLYLOCK INSERT FOR AN ARTIFICIAL JOINT

deren Beschreibung hier beigefügt ist, an sei dazu (in diesem Falle Zurechnende bitte ankreuzen), diese Erfindung

the specification of which is attached hereto unless the following box is checked:

☒ wurde eingereicht am _____
 unter der US-Anmeldenummer oder unter der
 internationalen Anmeldenummer im Rahmen des Vertrags
 über die Zusammenarbeit auf dem Gebiet der Patentrechts
 (PCT)

☒ was filed on _____
 as United States Application Number or
 PCT International Application Number

10/549,731 und am _____
 abgelehnt (falls
 zureichend).

10/549,731 and was amended on _____
 (if applicable).

Ich bestätige hiermit, daß ich das Inhalt der oben angegebenen Patentanmeldung, einschließlich der Ansprüche, die erweitert durch eine oben erwähnte Zustimmung abgelehnt wurde, durchgesehen und verstanden habe.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Belang sind.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☒ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☐ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.